

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

A.J. WHITE,

Plaintiff.

V.

CANTOR FITZGERALD, L.P., BGC
PARTNERS, L.P., BGC CAPITAL
MARKETS, L.P., DANIEL M.
LaVECCHIA, and KEVIN McNULTY,

Defendants.

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Case No. 07-CIV-8006 (DAB)

**NOTICE OF MOTION TO STAY OR
DISMISS PROCEEDING
(Corrected)**

(Filed Electronically)

PLEASE TAKE NOTICE that, on a date and at a time to be designated by the

Court, Defendants Cantor Fitzgerald, L.P, BGC Partners, L.P., BGC Capital Markets, L.P., Daniel M. LaVecchia, and Kevin McNulty, by and through their attorneys, will move this Court, before the Honorable Judge Deborah A. Batts, at the United States District Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007 for an Order pursuant to Fed. R. Civ. P. 12(b), dismissing or staying the above-captioned matter pending an arbitration of all claims set forth in Plaintiff A.J. White's Complaint in accordance with the parties' written agreement.

PLEASE TAKE FURTHER NOTICE that oral argument will be on a date and

at a time to be designated by the Court.

PLEASE TAKE FURTHER NOTICE that Defendants shall rely upon the

Memorandum of Law and Declaration of Rose Higgins with accompanying exhibits submitted herewith.

SAUL EWING LLP

Attorneys for Defendants

Cantor Fitzgerald, L.P., BGC Partners, L.P.,

BGC Capital Markets, L.P., Daniel M.

LaVecchia, and Kevin McNulty

s/_____
Michael A. Lampert, Esq. (MR 1064)

Dated: October 9, 2007